

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ELVIN HUNTER BGORN WILLIAMS,

Defendant.

CASE NO. CR21-0099-JCC

ORDER

This matter comes before the Court on the parties' joint motion to continue trial (Dkt. No. 19). On June 9, 2021, Defendant Elvin Hunter Bgorn Williams was charged by indictment with one count of Providing Material Support to a Designated Foreign Terrorist Organization. (Dkt. No. 12.) Trial is scheduled for August 9, 2021. (Dkt. No. 18.) The parties agree that this matter is complex, discovery is voluminous, the Government's production of discovery materials is ongoing and may take longer than normal due to the need to coordinate with the Federal Bureau of Investigation Headquarters and the Department of Justice National Security Division. (Dkt. No. 19 at 2.) Further, defense counsel will need substantial time to review discovery materials once they are produced in full, and the parties may need to engage in litigation under the Classified Information Protection Act. (*Id.*) As a result, the parties agree that a continuance until March 7, 2022 is necessary for the parties to have adequate time to prepare for trial. (*Id.* at 1–2.)

Having thoroughly considered the motion and the relevant record, the Court FINDS that

1 the ends of justice served by granting a continuance outweigh the best interests of Defendant and
2 the public to a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A). The reasons for this finding are:

- 3 1. Taking into account the exercise of due diligence, the failure to grant a continuance
4 would deny counsel for Defendant reasonable time necessary for effective
5 preparation, *see* 18 U.S.C. § 3161(h)(7)(B)(iv), and would therefore result in a
6 miscarriage of justice, *see* 18 U.S.C. § 3161(h)(7)(B)(i).
- 7 2. This case is sufficiently complex due to the nature of the prosecution and the large
8 volume of discovery materials, such that it is unreasonable to expect adequate
9 preparation for trial within the time limits established by the Speedy Trial Act. *See* 18
10 U.S.C. § 3161(h)(7)(B)(ii).

11 Accordingly, the Court GRANTS the stipulated motion (Dkt. No. 19) and ORDERS:

- 12 1. The August 9, 2021 jury trial is CONTINUED until March 7, 2022.
- 13 2. The July 15, 2021 pretrial motions deadline is CONTINUED until January 14, 2022.
- 14 3. The period from the date of this order until March 7, 2022 is an excludable time
15 period under 18 U.S.C. § 3161(h)(7)(A).

16 DATED this 28th day of July 2021.

17
18
19 

20 John C. Coughenour
21 UNITED STATES DISTRICT JUDGE
22
23
24
25
26